

SCHUMER be permitted to complete our remarks prior to the next vote.

The PRESIDING OFFICER. Without objection, it is so ordered.

PAYCHECK FAIRNESS ACT

Mr. DURBIN. Madam President, there are still millions of women across this country today who are doing the same jobs as their male colleagues and are being paid less. It is more clear than ever that we must take steps to close loopholes that allow for pay discrimination and empower women to hold their employers accountable when pay discrimination occurs. Nearly 60 years after passage of the Equal Pay Act and 12 years after passage of the Lilly Ledbetter Fair Pay Act, women still only earn 82 cents for every dollar paid to men on average. For women of color, the wage gap is even worse. Black women make only 63 cents for every dollar paid to White men, and Latina women make only 55 cents. Mothers make just 75 cents for every dollar paid to fathers.

Throughout the pandemic, too many families have wondered how they will feed their families, keep their homes, and care for their children amid an unprecedented public health and economic crisis. For working mothers, it has been especially challenging. The labor force participation rate among women has dropped to 57.4 percent, the lowest it has been since 1988. A survey last fall found that almost 40 percent of working mothers in Illinois lost their jobs or were working reduced hours. Nearly half of working mothers of color reported the same.

Why has this economic crisis been so economically devastating for so many women? The reasons are clear. Women tend to be overrepresented in the industries that were hit hardest by the pandemic, such as restaurants, retail, and leisure and hospitality. And many women are the primary caretakers for their families. With schools and childcare programs closed, what choice did mothers have other than to step back from work?

The economic hardship women have faced during the pandemic has only been made worse by the wage gap. From wage discrimination to the unavailability of childcare, women are not getting a fair deal. That means working families are not getting a fair deal, and it must change.

This week, we have the opportunity to pass legislation that would close the loopholes that allow paycheck discrimination to continue. The Lilly Ledbetter Fair Pay Act, which prohibits gender-based pay discrimination, was the first bill signed into law by President Obama back in 2009. Unfortunately, it is hard to enforce because employers still maintain policies that punish employees who voluntarily share salary information with their coworkers. Women can't demand equal pay if they don't know they are being underpaid.

The Paycheck Fairness Act would ensure workers cannot be retaliated against if they disclose their wages. It also would prohibit employers from asking prospective employees about their salary history. And it would require employers to prove that pay disparities exist for legitimate, job-related reasons—not just because they believe “women's work” is worth less. I am happy to join Senator MURRAY and my Democratic colleagues in supporting this important legislation.

Women have carried America's families through this pandemic, but it may take years for women to recover from the economic and career setbacks they have suffered. By passing the Paycheck Fairness Act, we can take an important step toward helping women and their families fully recover from this pandemic and economic crisis.

I am disappointed that Republican opposition has previously prevented the Senate from passing this bill. I hope that my colleagues on the other side of the aisle can agree it is time to pass this commonsense measure that will help put more money in the pockets of women and their families across the country.

Mrs. MURRAY. Mr. President, you know, it has been more than half a century since the Equal Pay Act became law, and 12 years since President Obama signed the Lilly Ledbetter Fair Pay Act, but women in the United States still, on average, earn only 82 cents on the dollar compared to their male counterparts, and the wage gap is far greater for women of color because, even though the Equal Pay Act and the Lilly Ledbetter Act were critical steps forward, there is clearly a lot more we have got to do.

Right now, an employer can brush aside reports of pay discrimination by saying things like, “Well, he was a better negotiator” or “They work in different buildings.” I mean, what does that have to do with it?

And too often, a woman's history of being paid less means she gets paid less in the future because her past salary can be used to determine her future salary, regardless of what her counterparts are making or her new responsibilities, and that has real consequences for women and their families.

Today, 4 out of 10 mothers with children under the age of 18 are their family's primary or sole breadwinners. As families rely more on women's wages to make ends meet, the gender pay gap has an even greater impact on children.

For example, over the course of just 1 year, the wage gap for Latino women averages almost \$30,000 less compared to what a White man earns. We are talking about women losing out on hundreds of thousands of dollars over the course of their working lives, and that is money that could go to pay the bills, put food on the table, buy a house, start a business, save for retirement, get an education, and so much more.

Instead, women struggle with life-long financial effects, including higher poverty rates as compared to men. Women are being shortchanged, plain and simple.

And this pandemic, by the way, has made things worse. Millions of women now, as we know, have left the labor force, and many have fallen behind just as caregiving responsibilities have disproportionately fallen on them.

According to one study, a woman who was earning about \$47,000 a year before the pandemic, could lose nearly a quarter of a million dollars over her lifetime, assuming she is able to return to work this year.

The pandemic has set women—and in particular, women of color—back even further and made clear just how urgent it is for us to act because, you know what, if women don't recover from this crisis, our economy will not either, which is why we desperately need to close the wage gap.

We have got a responsibility to finally make sure women are paid fairly for their work so women can build financial security for themselves, for their families, for their communities, and so our economy—so much of which is driven by women, by the way—can fully recover from this crisis.

We have been fighting for the Paycheck Fairness Act for quite some time, but for those who need a reminder, here is what it would do simply, very straightforward: It will close the loopholes that allow pay discrimination to continue and protect workers from retaliation for discussing their pay; it will limit the use of prior wage history in the hiring process so pay discrimination cannot follow workers from job to job; and it will increase transparency and accountability so workers know whether they are being treated fairly and so they have the evidence to hold their employers accountable if they are not.

These are commonsense steps, and that is why this bill already passed the House with bipartisan support, and it is up to the Senate now to get this done because the reality is each and every Senator represents a State where half of the population earns less than they deserve, and that is ridiculous.

It is past time we end this injustice. I urge my colleagues to join me in voting to finally put money women have earned fair and square in their pockets where it belongs and take an essential step toward ensuring our economy can build back stronger and fairer from COVID-19.

There is absolutely nothing controversial about making sure every worker gets paid fairly for their work. Women have been waiting long enough. They need the Paycheck Fairness Act now more than ever. Let's get this done.

The PRESIDING OFFICER. The majority leader.

Mr. SCHUMER. Mr. President, let me thank the Senator from Washington for her incredible leadership not only

on this bill but on this issue for pretty close to a decade, and it is long overdue.

You know, we have been working in a very bipartisan way on numerous subjects, including the competition bill that just passed, but it appears there are real limits to bipartisanship here in the Senate.

We are about to vote just to start debate—just to start debate on a bill that is very simple—provide equal pay for women. It is a modest proposal to address a real problem in our economy.

Women with the same jobs and same qualifications as their male colleagues often make less money. It is too hard for too many women to overcome that pay discrimination. This makes it easier for women to achieve pay parity, and like the previous bill, will help unleash strong economic forces to help America go forward because when women are not getting the pay they deserve, it impedes our whole economy and all of the human resources that we need.

Every Senate Democrat is ready to start debate on the Paycheck Fairness Act, but Senate Republicans seem to be mounting another partisan filibuster against this bill.

It is ridiculous that Senate Republicans will not even allow the Senate to debate a straightforward piece of legislation to help provide equal pay for working women in America, just like it was ridiculous for the Republican minority to filibuster bipartisan legislation to create an independent Commission on January 6.

Americans expect their government to make progress to improve our country, but Senate Republicans once again seem to be choosing obstruction.

I yield the floor.

CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to proceed to Calendar No. 46, H.R. 7, a bill to amend the Fair Labor Standards Act of 1938 to provide more effective remedies to victims of discrimination in the payment of wages on the basis of sex, and for other purposes.

Charles E. Schumer, Patty Murray, Tammy Duckworth, Angus S. King, Jr., Elizabeth Warren, Jack Reed, Richard J. Durbin, Maria Cantwell, Bernard Sanders, John Hickenlooper, Benjamin L. Cardin, Tina Smith, Amy Klobuchar, Thomas R. Carper, Mazie Hirono, Richard Blumenthal, Sheldon Whitehouse.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the motion to

proceed to H.R. 7, a bill to amend the Fair Labor Standards Act of 1938 to provide more effective remedies to victims of discrimination in the payment of wages on the basis of sex, and for other purposes, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from New York (Mrs. GILLIBRAND) is necessarily absent.

The yeas and nays resulted—yeas 49, nays 50, as follows:

[Rollcall Vote No. 227 Leg.]

YEAS—49

Baldwin	Hirono	Rosen
Bennet	Kaine	Sanders
Blumenthal	Kelly	Schatz
Booker	King	Schumer
Brown	Klobuchar	Shaheen
Cantwell	Leahy	Sinema
Cardin	Lujan	Smith
Carper	Manchin	Stabenow
Casey	Markey	Tester
Coons	Menendez	Van Hollen
Cortez Masto	Merkley	Warner
Duckworth	Murphy	Warnock
Durbin	Murray	Warren
Feinstein	Ossoff	Whitehouse
Hassan	Padilla	Wyden
Heinrich	Peters	
Hickenlooper	Reed	

NAYS—50

Barrasso	Graham	Portman
Blackburn	Grassley	Risch
Blunt	Hagerty	Romney
Boozman	Hawley	Rounds
Braun	Hoeven	Rubio
Burr	Hyde-Smith	Sasse
Capito	Inhofe	Scott (FL)
Cassidy	Johnson	Scott (SC)
Collins	Kennedy	Shelby
Cornyn	Lankford	Sullivan
Cotton	Lee	Thune
Cramer	Lummis	Tillis
Crapo	Marshall	Toomey
Cruz	McConnell	Tuberville
Daines	Moran	Wicker
Ernst	Murkowski	Young
Fischer	Paul	

NOT VOTING—1

Gillibrand

The PRESIDING OFFICER (Ms. HASSAN). On this vote, the yeas are 49, the nays are 50.

Three-fifths of the Senators duly chosen and sworn, not having voted in the affirmative, the motion is not agreed to.

The motion was rejected.

The PRESIDING OFFICER. The Senator from Rhode Island.

MORNING BUSINESS

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

CORONAVIRUS

Mr. DURBIN. Madam President, for over a year now, people worldwide have experienced immeasurable pain, suffering, and loss. This pandemic has tested each and every one of us in ways that we didn't know possible.

But perhaps no one has been more tested than our Nation's frontline, essential healthcare workers. They, like so many other frontline workers, did not have the option to telework, to socially distance, to remain in their homes, with their families, while the coronavirus ravaged our communities—no, just the opposite. They showed up more than ever before.

Not only did our Nation's doctors, nurses, and other medical professionals put their own health concerns aside to treat COVID patients, they continued to see all their other patients who couldn't afford to delay treatment, the heart attack and stroke victims, the chemotherapy and dialysis patients, the pregnant moms and new babies, people who had been involved in car accidents or were victims of gun violence.

When the rest of the world was being encouraged to stay home and avoid interactions with people, our medical providers continued to report to hospitals, community health centers, doctor's offices. They did so even when they weren't provided the proper personal protective equipment. They did so even when it meant that they had to quarantine from their own families. They did so even when it meant extra shifts on little to no sleep. They did so even when it meant spending each day watching dying patients say their final goodbyes to loved ones over Zoom. And they did so even when, in the midst of all of this, they were subjected to racism, sexism, and hate.

An essay that appeared in the New York Times last month detailed one doctor's experience. Dr. Chaya Bhuvaneswar—a female, Asian-American, Boston-area physician—recalled an incident last April, when a patient spit on her and said she “brought the sickness.”

Anti-Asian bigotry is, sadly, nothing new in this country, and the rise of it during COVID was certainly fueled by our former President, who seemed to delight in coining hateful, racist terminology to describe the coronavirus. Like so many others, our healthcare providers, whether they are Asian American or African American, or members of other minority groups, are subjected to racism, simply in the course of doing their jobs.

Racism is inexcusable always, but imagine how much worse it must have felt this past year, risking your life every single day to help a nation in the midst of a deadly pandemic, only to be subjected to racial slurs, offensive stereotypes, and vile actions. If this past year has taught us anything, it is that our Nation still has a long way to go on issues of race and immigration.

Consider this: One in six healthcare and social service workers are immigrants. Yet our broken immigration laws prevent many immigrants from contributing more fully to the battle against the pandemic.